

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

PODJO ROWE,

Plaintiff,

vs.

NEBRASKA HIGHWAY PATROL,  
KYLE GAUNDREAULT, and ERIC  
ROSEMANN,

Defendants.

**8:25CV141**

**MEMORANDUM AND ORDER**

This matter is before the Court on Plaintiff Podjo Rowe's motion for leave to proceed in forma pauperis ("IFP") filed in this Court on May 14, 2025. Filing No. 8. On April 18, 2025, the Court dismissed this case without prejudice after Plaintiff failed to file a signed copy of his Complaint, Filing No. 1, and either pay the \$405.00 filing and administrative fees or file a request to proceed IFP by April 14, 2025, as required by the Court's March 13, 2025, Memorandum and Order, Filing No. 5. Filing No. 6. Almost one month after his case was dismissed, Plaintiff filed the present IFP motion using the form "Affidavit Accompanying Motion for Permission to Appeal in Forma Pauperis." Filing No. 8.

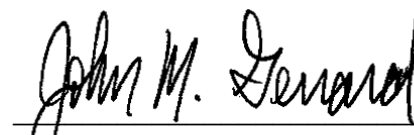
Upon review of Plaintiff's motion, the Court is uncertain whether Plaintiff filed his IFP motion in response to the Court's previous March 13, 2025, Memorandum and Order directing him to file an IFP motion in this case or if Plaintiff, instead, seeks leave to proceed IFP in order to appeal the Court's April 18, 2025, judgment of dismissal. If the former, then Plaintiff's IFP motion is untimely as this case is closed. If the latter, then the motion appears to be

prematurely filed as Plaintiff has not filed a notice of appeal of the Court's April 18, 2025, judgment. For these reasons,

IT IS ORDERED that: Plaintiff's IFP motion, Filing No. 8, is denied without prejudice to reassertion in conjunction with the filing of a notice of appeal.

Dated this 20th day of May, 2025.

BY THE COURT:

A handwritten signature in black ink, reading "John M. Gerrard", is written over a horizontal line.

John M. Gerrard  
Senior United States District Judge